

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER REGARDING MOTION REQUESTING
EXTENSION OF TIME TO FILE A RESPONSE TO THE MOTION FOR RELIEF TO STAY

The Court has received and reviewed the *Order Regarding Motion Requesting Extension of Time to File a Response to the Motion for Relief to Stay* (Docket Entry No. 22586)² (the “Extension Motion”), filed by the State Insurance Fund Corporation (the “SIFC”). The SIFC seeks an extension from October 18, 2022, to November 4, 2022, to respond to the *Motion for Relief from Stay* (Docket Entry No. 22501) (the “Motion”) filed by Ms. Keila García Colón (the “Movant”). (Ext. Mot. ¶¶ 2, 4.)

Section I.H of the *Sixteenth Amended Notice, Case Management and*

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Unless otherwise noted, all references herein to Docket Entry Nos. are references to Case No. 17-2383.

Administrative Procedures provides, in relevant part:

Scheduling requests (other than from the Debtors) must be brought by urgent motion (“Urgent Motion”). All Urgent Motions must be preceded by reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court in such Urgent Motion request. All Urgent Motions shall have a certification that the reasonable, good-faith communications took place, and if there is knowledge that there will be an objection to the Urgent Motion, the anticipation of an objection shall be prominently disclosed in the Urgent Motion.

(Docket Entry No. 20190 Ex. 1 (the “Case Management Order”) § I.H.)

While the Extension Motion provides a rationale for the extension request, and includes a certification that the extension request “is in good faith after thorough review” of the Motion, the Extension Motion otherwise fails to meet the requirement of a certification in compliance with the Case Management Order. (Ext. Mot. ¶¶ 3, 6.)³

Accordingly, the Extension Motion is hereby DENIED without prejudice to SIFC filing a renewed motion that includes a satisfactory certification in compliance with the Case Management Order of communications with the Movant and with representatives of the Commonwealth.

This Order resolves Docket Entry No. 22586 in Case No. 17-3283.

SO ORDERED.

Dated: October 13, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

³ Counsel is also advised to comply with section I.I of the Case Management Order: “All Pleadings, whether Urgent Motions or not, that are requesting relief, shall be accompanied by a proposed order. A copy of the proposed order shall be emailed to the Court at swaindprcorresp@nysd.uscourts.gov in Microsoft word format.” (Case Mgmt. Ord. § I.I.)